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I

106TH CONGRESS
1ST SESSION

H. R. 1259

To amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthened budgetary enforcement mechanisms.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1999

Mr. HERGER (for himself, Mr. SHAW, Mr. CRANE, Mr. THOMAS, Mr. HOUGHTON, Mr. ARCHER, Mr. MCCREERY, Mr. RAMSTAD, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. PORTMAN, Mr. ENGLISH, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. HULSHOF, Mr. MCINNIS, Mr. LEWIS of Kentucky, and Mr. BILBRAY) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthened budgetary enforcement mechanisms.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Social Security and
5 Medicare Safe Deposit Box Act of 1999".

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) **FINDINGS.**—The Congress finds that—

3 (1) the Congress and the President joined to-
4 gether to enact the Balanced Budget Act of 1997 to
5 end decades of deficit spending;

6 (2) strong economic growth and fiscal discipline
7 have resulted in strong revenue growth into the
8 Treasury;

9 (3) the combination of these factors is expected
10 to enable the Government to balance its budget with-
11 out the social security surpluses;

12 (4) the Congress has chosen to allocate in this
13 Act all social security surpluses toward saving social
14 security and medicare;

15 (5) amounts so allocated are even greater than
16 those reserved for social security and medicare in
17 the President's budget, will not require an increase
18 in the statutory debt limit, and will reduce debt held
19 by the public until social security and medicare re-
20 form is enacted; and

21 (6) this strict enforcement is needed to lock
22 away the amounts necessary for legislation to save
23 social security and medicare.

24 (b) **PURPOSE.**—It is the purpose of this Act to pro-
25 hibit the use of social security surpluses for any purpose
26 other than reforming social security and medicare.

1 **SEC. 3. PROTECTION OF SOCIAL SECURITY SURPLUSES.**

2 (a) POINTS OF ORDER TO PROTECT SOCIAL SECU-
3 RITY SURPLUSES.—Section 312 of the Congressional
4 Budget Act of 1974 is amended by adding at the end the
5 following new subsection:

6 “(g) POINTS OF ORDER TO PROTECT SOCIAL SECU-
7 RITY SURPLUSES.—

8 “(1) CONCURRENT RESOLUTIONS ON THE
9 BUDGET.—It shall not be in order in the House of
10 Representatives or the Senate to consider any con-
11 current resolution on the budget, or conference re-
12 port thereon or amendment thereto, that would
13 cause or increase an on-budget deficit for any fiscal
14 year.

15 “(2) SUBSEQUENT LEGISLATION.—It shall not
16 be in order in the House of Representatives or the
17 Senate to consider any bill, joint resolution, amend-
18 ment, motion, or conference report if—

19 “(A) the enactment of that bill or resolu-
20 tion as reported;

21 “(B) the adoption and enactment of that
22 amendment; or

23 “(C) the enactment of that bill or resolu-
24 tion in the form recommended in that con-
25 ference report;

1 would cause or increase an on-budget deficit for any
2 fiscal year.

3 “(3) EXCEPTION.—The point of order set forth
4 in paragraph (2) shall not apply to social security
5 reform legislation or medicare reform legislation as
6 defined by section 5(c) of the Social Security and
7 Medicare Safe Deposit Box Act of 1999.

8 “(4) DEFINITION.—For purposes of this sec-
9 tion, the term ‘on-budget deficit’, when applied to a
10 fiscal year, means the deficit in the budget as set
11 forth in the most recently agreed to concurrent reso-
12 lution on the budget pursuant to section 301(a)(3)
13 for that fiscal year.”.

14 (b) CONTENT OF CONCURRENT RESOLUTION ON THE
15 BUDGET.—Section 301(a) of the Congressional Budget
16 Act of 1974 is amended by redesignating paragraphs (6)
17 and (7) as paragraphs (7) and (8), respectively, and by
18 inserting after paragraph (5) the following new paragraph:

19 “(6) the receipts, outlays, and surplus or deficit
20 in the Federal Old-Age and Survivors Insurance
21 Trust Fund and the Federal Disability Insurance
22 Trust Fund, combined, established by title II of the
23 Social Security Act;”.

1 (c) SUPER MAJORITY REQUIREMENT.—(1) Section
2 904(c)(1) of the Congressional Budget Act of 1974 is
3 amended by inserting “312(g),” after “310(d)(2),”.

4 (2) Section 904(d)(2) of the Congressional Budget
5 Act of 1974 is amended by inserting “312(g),” after
6 “310(d)(2),”.

7 **SEC. 4. REMOVING SOCIAL SECURITY FROM BUDGET PRO-**
8 **NOUNCEMENTS.**

9 (a) IN GENERAL.—Any official statement issued by
10 the Office of Management and Budget, the Congressional
11 Budget Office, or any other agency or instrumentality of
12 the Federal Government of surplus or deficit totals of the
13 budget of the United States Government as submitted by
14 the President or of the surplus or deficit totals of the con-
15 gressional budget, and any description of, or reference to,
16 such totals in any official publication or material issued
17 by either of such Offices or any other such agency or in-
18 strumentality, shall exclude the outlays and receipts of the
19 old-age, survivors, and disability insurance program under
20 title II of the Social Security Act (including the Federal
21 Old-Age and Survivors Insurance Trust Fund and the
22 Federal Disability Insurance Trust Fund) and the related
23 provisions of the Internal Revenue Code of 1986.

24 (b) SEPARATE SOCIAL SECURITY BUDGET DOCU-
25 MENTS.—The excluded outlays and receipts of the old-age,

1 survivors, and disability insurance program under title II
2 of the Social Security Act shall be submitted in separate
3 social security budget documents.

4 **SEC. 5. EFFECTIVE DATE.**

5 (a) IN GENERAL.—This Act shall take effect upon
6 the date of its enactment and the amendments made by
7 this Act shall apply only to fiscal year 2000 and subse-
8 quent fiscal years.

9 (b) EXPIRATION.—Sections 301(a)(6) and 312(g)
10 shall expire upon the enactment of social security reform
11 legislation and medicare reform legislation.

12 (c) DEFINITIONS.—

13 (1) SOCIAL SECURITY REFORM LEGISLATION.—

14 The term “social security reform legislation” means
15 a bill or a joint resolution that is enacted into law
16 and includes a provision stating the following: “For
17 purposes of the Social Security and Medicare Safe
18 Deposit Box Act of 1999, this Act constitutes social
19 security reform legislation.”.

20 (2) The term “medicare reform legislation”
21 means a bill or a joint resolution that is enacted into
22 law and includes a provision stating the following:
23 “For purposes of the Social Security and Medicare

- 1 Safe Deposit Box Act of 1999, this Act constitutes
- 2 medicare reform legislation.”.

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